

MUNGER, TOLLES & OLSON LLP
Marc T.G. Dworsky (SB# 157413)
James C. Rutten (SB# 201791)
Eric P. Tuttle (SB# 248440)
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071-1560
(213) 683-9100; (213) 687-3702 (fax)
marc.dworsky@mto.com, james.rutten@mto.com
eric.tuttle@mto.com

Attorneys for Defendants WELLS FARGO BANK, N.A.
(successor by merger to WACHOVIA BANK, N.A.) and
METROPOLITAN WEST SECURITIES LLC

J. Russell Stedman (117130), rstedman@bargerwolen.com
Travis R. Wall (191662), twall@bargerwolen.com
BARGER & WOLEN LLP
650 California Street, 9th Floor
San Francisco, California 94108-2713
Telephone: (415) 434-2800
Facsimile: (415) 434-2533

David Freitas (82012), dfreitas@scif.com
STATE COMPENSATION INSURANCE FUND
1275 Market Street, 3rd Floor
San Francisco, California 94103-1410
Telephone: (415) 565-1260
Facsimile: (415) 703-7059

Attorneys for Plaintiff
STATE COMPENSATION INSURANCE FUND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

STATE COMPENSATION INSURANCE
FUND,

Plaintiff,

vs.

METROPOLITAN WEST SECURITIES
LLC; WACHOVIA BANK, N.A.; DOES
1 through 10, inclusive; and DOES 11
through 20, inclusive,

Defendants.

CASE NO. CV 09-02959 JSW (EDL)

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING CASE DEADLINES
AS MODIFIED**

CASE NO. CV 09-2959 JSW (EDL)

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE DEADLINES

1 WHEREAS the Court entered a stipulated order on December 21, 2010 providing the
2 following case schedule:

3	Fact discovery cutoff:	May 25, 2011
4	Disclosure of experts and reports:	June 1, 2011
5	Disclosure of rebuttal experts and reports:	June 20, 2011
6	Expert discovery cutoff:	July 13, 2011
7	Completion of mediation:	August 12, 2010
8	Dispositive motion hearing date:	August 26, 2011
9	Final pretrial conference:	October 17, 2011
10	Trial:	November 7, 2011

11 WHEREAS the parties have been diligently engaged in discovery, including significant
12 written discovery, third-party subpoenas, and the production of both paper and electronic
13 documents (to date approximately 850,000 pages of documents have been produced);

14 WHEREAS the parties stipulated to a discovery order entered by the Magistrate Judge on
15 January 3, 2011 on cross-motions to compel, requiring substantial additional productions which
16 are still being completed;

17 WHEREAS the parties have issued several third-party subpoenas (primarily out of state)
18 which are outstanding or still the subject of meet-and-confer efforts;

19 WHEREAS the parties are discussing a stipulation for the filing of an amended complaint
20 (not adding new parties) and amended answer, and the draft of the proposed amended complaint
21 is being reviewed by Defendants;

22 WHEREAS the parties have been engaged in discussions about cooperatively scheduling
23 non-expert depositions, which have raised a number of issues requiring more time for resolution,
24 including: the need for depositions in at least four different cities, including on the East Coast; the
25 agreement of the parties to arrange for several of their former officers and employees to make
26 themselves available for deposition; a number of depositions of other non-party and non-affiliated
27 witnesses will be taken; and Defendants have requested that Plaintiff stipulate to permit them to
28 exceed the 10 deposition limit;

WHEREAS the parties continue meet and confer efforts to resolve outstanding discovery disputes without the need for motions to compel;

WHEREAS the parties believe that, in light of the foregoing, it makes sense to continue the existing case deadlines by approximately 90 days;

NOW THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO AND THEIR COUNSEL OF RECORD THAT the existing case deadlines shall be continued by approximately three months, such that the new schedule shall be as follows:

Fact discovery cutoff:	August 26, 2011
Disclosure of experts and reports:	September 9, 2011
Disclosure of rebuttal experts and reports:	September 30, 2011
Expert discovery cutoff:	October 21, 2011
Completion of mediation:	November 21, 2011
Dispositive motion hearing date:	December 5, 2011 (9:00 a.m.) December 9, 2011
Final pretrial conference:	January 16, 2012 (2:00 p.m.) March 5, 2012
Trial:	February 6, 2012 (8:30 a.m.) March 26, 2012

Date: April 18, 2011

MUNGER, TOLLES & OLSON LLP

By: /s/ James C. Rutten

James C. Rutten

Attorneys for Defendants WELLS FARGO
BANK, N.A. (successor by merger to
WACHOVIA BANK, N.A.) and
METROPOLITAN WEST SECURITIES LLC

Date: April 18, 2011

BARGER & WOLEN LLP

By: /s/ J. Russell Stedman

J. Russell Stedman

Attorneys for Plaintiff STATE
COMPENSATION INSURANCE FUND

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: April 18, 2011


The Honorable Jeffrey S. White
United States District Court Judge